

### **REMARKS**

Claims 100-178 remain pending in the present application. Claims 100, 115, 117, 118, 133, 135, 137, 152, 154, 157, 172 and 174 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 117, 135, 154 and 174 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The claims have been amended to replace the trademark name with the material composition. Reconsideration of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 100, 103, 104, 106, 113, 114, 116, 157, 160, 161, 163, 170, 171 and 173 are rejected under 35 U.S.C. § 102(b) as being anticipated by Takeda, et al. (U.S. Pat. No. 5,447,418). Claims 100, 102-104, 106, 114, 116, 157, 159-161, 163, 170, 171 and 173 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sano, et al. (U.S. Pat. No. 5,743,720). Claims 100 and 157 have been amended to include the limitations of Claims 115 and 172, respectively. The only rejections to Claims 115 and 172 were a nonstatutory double patenting rejection. As indicated below, we are filing a Terminal Disclaimer to overcome the double patenting rejection.

Thus, Applicants believe Claims 100 and 157, as amended, patentably distinguish over the art of record. Likewise, Claims 102-104, 106, 113, 114 and 116, which ultimately depend from Claim 100 and Claims 159-161, 163, 170, 171 and 173, which ultimately depend from Claim 157, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claims 117 and 174 are rejected under 35 U.S.C. § 103(a) as being unpatentable over either Sano, et al. or Takeda, et al. Claims 117 and 174 depend from Claims 100 and 157, respectively. As indicated above, Claims 100 and 157 have been amended and are now believed to patentably distinguish over the art of record. Thus, Claims 100 and 157 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 118, 121, 122, 124, 131, 132, 134-137, 140, 141, 143, 150, 151, 153-156 and 175-178 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Takeda, et al. Claims 118, 120-122, 124, 132, 134-137, 139, 141, 143, 151, 153-156 and 175-178 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sano, et al.

Claims 118 and 137 have been amended to include the limitations of Claims 133 and 152, respectively. The only rejections to Claims 133 and 152 were a nonstatutory double patenting rejection. As indicated below, we are filing a Terminal Disclaimer to overcome the double patenting rejection.

Thus, Applicants believe Claims 118 and 137, as amended, patentably distinguish over the art of record. Likewise, Claims 120-122, 124, 131, 132 and 134-

136, which ultimately depend from Claim 118 and Claims 140, 141, 143, 151 and 153-156, which ultimately depend from Claim 137, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 175-178 ultimately depend from Claim 157. As indicated above, Claim 157 has been amended and is now believed to patentably distinguish over the art of record. Thus, Claims 175-178 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **DOUBLE PATENTING**

Claims 100, 102-104, 106, 113-118, 120-122, 124, 131-137, 139-141, 143, 150-157, 159-161, 163 and 170-178 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-98 of U.S. Patent No. 6,679,683. Enclosed is a Terminal Disclaimer in compliance with 37 CFR 1.321(c) to overcome the rejection. Reconsideration of the rejection is respectfully requested.

#### **REJOINDER**

Applicants respectfully request rejoinder of withdrawn Claims 101, 105, 107-112, 119, 123, 125-130, 138, 142, 144-149, 158, 162 and 164-169.

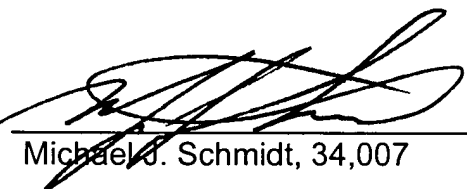
#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request

that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 7, 2005

By:   
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg